

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.10159 of 2016

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in FIR/Crime No.123 of 2016 on the file of Chillakallu Police Station, Krishna District, registered against the petitioner/accused for the offence punishable under Section 3 of Prevention of Damage of Public Property Act, 1984.

Heard the learned counsel appearing for the petitioner/accused and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the complaint against the petitioner. This is a matter, which requires investigation by the police. The truth or otherwise of the allegations can only be decided during course of trial. I see no grounds to interdict the investigation at this stage and quash the first information report.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioner/accused in the above crime, till the investigation is completed and the charge sheet is filed. The petitioner/accused shall appear before the investigating agency as and when required during the course of investigation.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL, J

Date: 13.07.2016
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